



United States Government Printing Office
Washington, DC 20401

OFFICE OF THE
SUPERINTENDENT OF DOCUMENTS

February 4, 2003

Ms. Jan Walsh
Washington State Librarian
Washington State Library
Office of the Secretary of State
Point Plaza East, Building 1
6880 Capitol Boulevard South
P.O. Box 42460
Olympia, WA 98504-2460

Dear Ms. Walsh:

Thank you for your letter of February 3, 2003, advising the Government Printing Office (GPO) of possible changes in the Washington State Library and the effect of those changes on the resources in the Federal depository library collection made available through your library. I regret to hear of the library's continuing problems with funding and staffing levels. GPO appreciates the many years of public service the Washington State Library has provided as a participant in the Federal Depository Library Program (FDLP) and as the regional depository library for both Washington and Alaska.

In your letter you requested information on the consequences should the State Library be unable to continue providing free public access to the Federal depository collection. As soon as the State Library ends public access and related services, GPO will place the library on probation. This status provides a statutory minimum of six months for the library to restore free public access to the collection. There must also be sufficient staffing and funds available to fulfill the duties of a regional depository library, including inter-library loan and reference assistance for the selective depository libraries in the states that your Library serves, Washington and Alaska. After the six-month period, the Library will be inspected and, if the deficiencies have not been corrected, I would remove the State Library from the FDLP under authority provided in 44 USC §1909.

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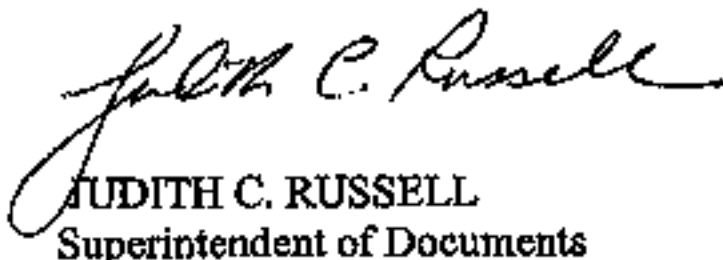
Once the State Library is no longer participating in the FDLP, the materials in the Federal depository collection, which have always been Federal property, revert to the Federal government. The Federal documents collection in the State Library must be inventoried, missing publications identified, and a good faith effort made to replace any missing publications. Then the collection must be packaged and returned to the Government Printing Office, or sent to an alternative location that GPO has identified, at the expense of the State Library.

The State Library cannot transfer or reassign the collection or its regional responsibilities to another depository; only a U.S. Senator may designate a regional Federal depository library. The State Library may not remain in the FDLP if public access to the collection is severely reduced or eliminated, so the Federal documents collection cannot be simply warehoused. The FDLP was established by Congress to ensure that the American public has access to the information of its government, and thus public access is the most fundamental requirement for participation in the FDLP.

I truly hope that the Washington State Library does not have to withdraw from the Federal Depository Library Program. Since the depository collection predates the Printing Act of 1895, the State Library has many unique and valuable historical resources as well as important current information. The citizens of Washington State will not be well served if these materials become inaccessible.

If you have any further questions, or if I can provide any further clarification or assistance, please contact me on 202-512-0571.

Sincerely yours,



JUDITH C. RUSSELL
Superintendent of Documents